



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/915,216	07/25/2001	Christoph Berger	ADI-074

021323
TESTA, HURWITZ & THIBEAULT, LLP
HIGH STREET TOWER
125 HIGH STREET
BOSTON, MA 02110

CONFIRMATION NO. 5641

FORMALITIES LETTER



OC000000006789240

Date Mailed: 09/25/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
 - Total additional claim fee(s) for this application is \$126.
 - \$126 for 7 total claims over 20.
 - The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
 - To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
 - **The balance due by applicant is \$ 966.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

10/17/2001 BNGUYEN1 00000067 09915216

01 FC:101
02 FC:103
03 FC:105

*A copy of this notice **MUST** be returned with the reply.*

J. Hank

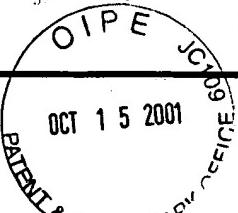
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

#4

**TRANSMITTAL
FORM**



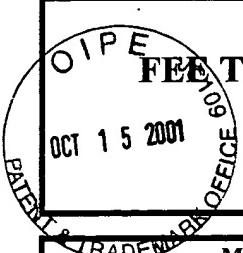
OCT 15 2001

Application Serial Number	09/915,216
Filing Date	July 25, 2001
First Named Inventor	Berger
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket No.	ADI-074
BATCH NO. (after allowance)	Not applicable
Patent No.	Not applicable
Issue Date	Not applicable

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form 	<input checked="" type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Formal Drawing(s) 	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <ul style="list-style-type: none"> <input type="checkbox"/> Appeal Brief (in triplicate)
<input type="checkbox"/> Amendment/Response <ul style="list-style-type: none"> <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final 	<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <ul style="list-style-type: none"> <input type="checkbox"/> Associate Power of Attorney 	<input type="checkbox"/> Status Inquiry <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Terminal Disclaimer <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application 	<input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <ul style="list-style-type: none"> <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8
<input type="checkbox"/> Information Disclosure Statement <ul style="list-style-type: none"> <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations 	<input type="checkbox"/> Small Entity Statement <ul style="list-style-type: none"> <input type="checkbox"/> CD(s) for large table or computer program 	<input type="checkbox"/> Additional Enclosure(s) (please identify below)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Amendment After Allowance <ul style="list-style-type: none"> <input type="checkbox"/> Request for Certificate of Correction <ul style="list-style-type: none"> <input type="checkbox"/> Certificate of Correction (in duplicate) 	
<input type="checkbox"/> Sequence Listing submission <ul style="list-style-type: none"> <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above 		

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	<p>Respectfully submitted,</p> <p><i>J.V.J.</i></p> <p>John V. Forcier Attorney for Applicants Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110</p>



**FEE TRANSMITTAL
FY 2002**

Complete if Known	
Application Serial Number	09/915,216
Filing Date	July 25, 2001
First Named Inventor	Berger
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket No.	ADI-074

#4

METHOD OF PAYMENT

1. Payment Enclosed:
 Check Money Order Other
2. The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.
 Required Fees (copy of this sheet enclosed).
 Additional fee required under 37 CFR 1.16 and 1.17.
 Overpayment Credit.
3. Applicant claims small entity status.

FEE CALCULATION

1. FILING FEE

Large Entity		Fee (\$)	Fee Description	Fee Paid
740	Utility filing fee	740.00		
330	Design filing fee			
160	Provisional filing fee			

	Number Filed	Number Extra	Rate	Amount
Total Claims	27	- 20 = 7	x \$ 18.00 =	126.00
Independent Claims	2	- 3 = 0	x \$ 84.00 =	
<input type="checkbox"/> Multiple Dependent Claim(s), if any			\$280.00 =	

TOTAL: 866.00

SMALL ENTITY DISCOUNT:

SUBTOTAL (1) (\$ 866.00)

2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid		
Total	-	=	x \$ 18.00 =			
Indep.	-	=	x \$ 84.00 =			
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$280.00 =			

SUBTOTAL (3) (\$ 130.00)

SUBTOTAL (1) 866.00

SUBTOTAL (2) 0.00

SUBTOTAL (3) 130.00

TOTAL: (\$)
SMALL ENTITY DISCOUNT: (\$)
SUBTOTAL (2) (\$ 0.00)

TOTAL (\$ 996.00)

CORRESPONDENCE ADDRESS

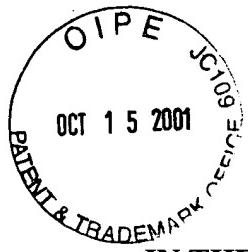
Direct all correspondence to:

Patent Administrator
Testa, Hurwitz & Thibeault, LLP
High Street Tower-125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

[Signature]
John V. Forcier
Attorney for the Applicants
Testa, Hurwitz & Thibeault, LLP
High Street Tower-125 High Street
Boston, MA 02110



SECTOR
#4

PATENT
Attorney Docket No. ADI-074
(257/40)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Berger et al.

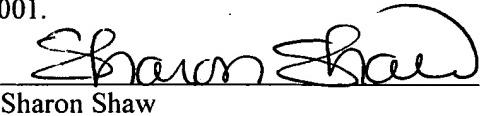
SERIAL NO.: 09/915,216 GROUP NO.: Not Yet Assigned

FILING DATE: July 25, 2001 EXAMINER: Not Yet Assigned

TITLE: Climate Configurable Sole and Shoe

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231 on the 11th of October, 2001.



Sharon Shaw

BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith are:

1. Transmittal Form (1 pg.);
2. Fee Transmittal (1 pg.);
3. a checks for a total of \$996.00;
4. Formal Drawings (9 pgs.);
5. Copy of Notice to File Missing Parts (2 pg.);
6. Declaration and Power of Attorney (6 pgs.);
7. and a Return receipt postcard